

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MARK CLARK,

Plaintiff,

v.

THE CITY OF WEST RICHLAND, a municipal corporation, COUNTY OF BENTON, a governmental entity, and BRIAN GALUSHA, in his capacity as a police officer for the City of West Richland and as an individual.

## Defendants.

NO. CV-10-5060-EFS

ORDER GRANTING THE PARTIES' STIPULATION FOR ORDER ON DEFENDANTS' MOTIONS FOR PARTIAL JUDGMENT ON THE PLEADINGS CONCERNING PLAINTIFF'S 42 U.S.C. § 1981 CLAIM

By Stipulation (ECF No. [17](#)) filed December 9, 2010, the parties agree that Defendant Benton County's Motion for Partial Judgment on the Pleadings Concerning Plaintiff's 42 U.S.C. § 1981 Claim (ECF No. [12](#)) and Defendants West Richland and Brian Galusha's Joinder in Defendant Benton County's Motion for Partial Judgment on the Pleadings Regarding Plaintiff's 42 U.S.C. § 1981 Claim (ECF No. [15](#)) should be granted. Based on the parties' Stipulation, **IT IS HEREBY ORDERED:**

1. Defendant Benton County's Motion for Partial Judgment on the Pleadings Concerning Plaintiff's 42 U.S.C. § 1981 Claim ([ECF No. 12](#)) is **GRANTED**.

2. Defendants West Richland and Brian Galusha's Joinder in Defendant Benton County's Motion for Partial Judgment on the Pleadings Regarding Plaintiff's 42 U.S.C. § 1981 Claim (**ECF No. 15**) is **GRANTED**.

3. Plaintiff's 42 U.S.C. § 1981 claims against all Defendants are DISMISSED WITH PREJUDICE.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order and copies to counsel.

**DATED** this 4<sup>th</sup> day of January 2011.

S/ Edward F. Shea  
EDWARD F. SHEA  
United States District Judge

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